

rural development

PART F



COWRA COUNCIL
116 KENDAL STREET
COWRA NSW 2794

COWRA COUNCIL
COMPREHENSIVE DCP
2021

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rural dwellings

PART F.1

This Part provides the standards and controls for dwelling development within the rural areas of the Cowra Shire Local Government Area.

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F.1.1. Application of this part

Part F.1 applies to new dwellings on land that is located within the following zones under Cowra Local Environmental Plan 2012:

- a. RU1 Primary Production
- b. RU4 Primary Production Small Lots
- c. E3 Environmental Management

F.1.2. Objectives

The objectives for rural dwellings are:

- a. To provide housing in rural areas that is ancillary to agriculture.
- b. To minimise potential conflict between residential and agricultural activities carried out on the land, and on adjoining land.
- c. To ensure that new dwellings do not compromise rural character or amenity.
- d. To minimise environmental degradation by ensuring new dwellings are located away from areas of environmental sensitivity.
- e. To ensure a safe standard of access is provided to rural properties.
- f. To minimise the risk of bushfire attack on new dwellings in rural areas and ensure adequate water resources are provided for fire fighting purposes.
- g. To ensure that dwellings are not impacted by flooding from rivers, creeks, intermittent drainage lines or any other water bodies.
- h. To ensure that new dwellings incorporate facilities to properly manage domestic effluent.

F.1.3. Siting Controls

One of the most important decisions that will need to be made when constructing a new rural dwelling is where it will be located (or sited) on the property. This decision should be made having regard to the constraints and opportunities of the land, the immediate locality and the wider environment. If dwellings are sited appropriately, there is less risk of creating land-use conflict or impacting on the environment or rural amenity.

The following controls apply to rural dwellings:

- a. Rural dwellings should be sited so as to protect and promote opportunities for agricultural activities to be carried out on the land, and on adjoining land.
- b. Rural dwellings should be sited in a manner that minimises land degradation, alteration of natural drainage patterns, pollution of groundwater, and the spread of noxious plants and animals.
- c. Rural dwellings should be sited, where possible, away from visually prominent areas. Where this is not possible, the dwelling should be designed to blend into the rural landscape.
- d. Rural dwellings should be sited so as to conserve or enhance any significant environmental features of the land, such as natural forms, remnant vegetation, wetlands, natural watercourses and drainage lines.
- e. Rural dwellings must be sited a minimum distance of 40 metres from any creek, river, intermittent drainage line or any other water body, and or outside of areas that are prone to flooding.
- f. Rural dwellings must be sited within a designated building envelope, where these are shown on the Deposited Plan (survey diagram) that relates to the Land Title.
- g. The dwelling should be located outside of any areas that are prone to flooding from rivers, creeks, intermittent drainage lines and other water bodies.

F.1.4. Setback Controls

Ensuring there is adequate separation between agricultural and residential activities is an important part of planning for development in rural areas. It is about protecting the productive capacity of agricultural land and minimising the risk of land-use conflict occurring between residential and agricultural activities.

The controls in this section will apply to proposals involving the erection of new rural dwellings. The amount of separation required will vary depending on the nature of the agricultural activity being carried out on the neighbouring land.

F.1.4.1. Dwellings on Rural Land

- a. The recommended setbacks for new dwellings in rural areas are shown in the table to the right.
- Council may consider a setback to an existing agricultural activity that is less than the recommended distance, but only where appropriate studies have confirmed that odour and noise from the existing agricultural activity will not cause significant land-use conflict issues.
- In relation to land used for grazing of livestock, Council may apply the setback control for cropping / cultivation land if it is considered that the land is capable of being used for this purpose.
- b. Despite control (a), the setback distance to cropping / cultivation land may be reduced to not less than 40m, but only where a vegetated buffer is or will be provided in accordance with Appendix A of this Part.
- c. Where the adjoining lot is not used or capable of being used for any of the uses listed in the table, then a minimum setback of 20m will apply to that boundary. For these scenarios, Council will not apply the buffer requirements in Appendix A.

Activity on adjoining land	Setback
Piggeries (Housing & Waste Storage)	1000m
Feedlots (Yards & Waste Storage)	1000m
Poultry (Sheds & Waste Storage)	1000m
Dairies (Sheds & Waste Storage)	500m
Rabbits (Wet Shed, ponds & irrigation)	150m
Other intensive operations	Site Specific
Grazing of livestock	50m
Cropping / Cultivation	150m
Horticulture / Viticulture	150m
Turf Farms	150m
Rural Industries	500m
Potential Hazardous / Offensive Industry	1000m
Mining / Extractive Industry (no blasting)	500m
Mining / Extractive Industry (blasting)	1000m
Other primary industry activities	Site Specific
Central Tablelands Water Bore - Refer Park K of DCP for further detail.	500m

F.1.4.2. Replacement Dwellings

- a. Where a rural dwelling is proposed in replacement of an existing rural dwelling, the setbacks required in accordance with the Table in control (a) may be reduced but only where Council is satisfied that the siting of the replacement dwelling will not create additional adverse impacts on the primary industry activity being carried out on adjoining or nearby land.

F.1.4.3. Dwellings on small lot subdivision blocks

- b. There are a number of rural areas within the Cowra Shire that have been subdivided into small lots ranging in size in size from 2 hectares to 40 hectares. These lots have been created for the principal purpose of accommodating a dwelling. Agriculture is not the primary use of the lots and for this reason, the normal setback rules for dwellings in agricultural areas do not apply.

The small lot subdivision blocks have been mapped in Appendix B. For these lots, the setback controls are outlined in the table below.

Activity on adjoining land	Setback
The lot has a designated building envelope	Dwellings must be located wholly within the designated building envelope.
The minimum setback to any boundary that is shared with a lot that is also mapped in Appendix B	20 metres.
Minimum setback to any boundary that is shared with a lot that is not mapped in Appendix B	Setback should be in accordance with the Table on Page. 6 Where the size and configuration of the lot is such that the recommended setback distances in the Table on Page 6 cannot be achieved, then the maximum achievable setback should be implemented having regard to any topographical, environmental or servicing constraints.

F.1.4.4. Secondary Dwellings

- a. The setback controls for secondary dwellings are the same setbacks that are contained in Section F.1.5.1.
- b. Notwithstanding control (a) above, Council will accept a reduced setback for the secondary dwelling where it can be demonstrated that:
 - i. The new dwelling is located within the same curtilage as the primary dwelling, and
 - ii. The location of the secondary dwelling will not create additional adverse impacts on the primary industry activity being carried out on adjoining or nearby land.

F.1.5. Building Appearance Controls

Cowra Shire boasts highly attractive landscapes and picturesque views. These vistas are highly valued by residents and it is important that the design and siting of new buildings does not detract from these features.

The following controls apply to rural dwellings:

- a. Building materials should be naturally textured and coloured and sympathetic to the natural environment.
- b. Highly reflective materials should be avoided where possible, particularly in visually prominent locations.
- c. The bulk and scale of buildings should not create adverse visual impacts when viewed from neighbouring properties or town or village entry points.

F.1.6. Access Controls

Access provided to rural properties must be engineered and constructed appropriately to facilitate safe ingress and egress to the public road system for all types of vehicles.

The following controls apply to rural dwellings:

- a. Access to new rural dwellings should be gained via the Council's public local road network and not directly onto a classified road or highway.
- b. Exceptions to control (a) include new rural dwellings being constructed on existing subdivision lots that have been approved with entrances onto a classified road or highway, or existing farm lots where there are no other practical means of access available.
- c. Where the proposed dwelling gains access to a Council public local road, the entrance to the lot is to be constructed or upgraded in accordance with Cowra Shire Council engineering standards.
- d. Where the proposed dwelling gains access to a classified road or a highway, the entrance to the lot is to be constructed, or upgraded, in accordance with the requirements of NSW Roads and Maritime Services.
- e. Newly constructed or upgraded entrances located off sealed road networks must also be sealed to the property gateway in accordance with Cowra Shire Council engineering standards.
- f. New entrance locations must be sited in consultation with Council Shire Council.

F.1.7. Onsite Sewage Management Controls

The majority of rural dwellings are constructed in locations that do not have access to reticulated sewer. In these cases, on-site waste disposal is the only method of treating domestic effluent. Properly designed and installed waste disposal systems are important to prevent detrimental impacts on the environment and public health in general.

The following controls apply to rural dwellings:

- a. The proposed method of effluent disposal and the associated waste water disposal area must comply with AS/NZS1547:2000 – On-site Domestic Wastewater Management and the most current version of the Environmental Health Protection Guidelines On-site Sewage Management for Single Households. Recommended buffer distances are shown in the Table to the right.
- b. The location and proposed method of waste water disposal must be shown on the plans submitted with the Development Application. A report prepared by a suitably qualified Geotechnical Engineer may also be requested by Council as part of the Development Application.

Note - The values are recommended minimum, based on ideal site and soil conditions. If these conditions are less than ideal, the minimum buffer distances should be increased.

System	Recommended Buffer Distances
All land application systems	100m to permanent surface waters. 250m to any domestic groundwater well. 40m to other waters (e.g. farm dams, intermittent waterways).
Surface spray irrigation	6m if area is up-gradient of driveways and property boundaries. 3m if area is down-gradient of driveways and property boundaries. 15m to dwellings. 3m to paths and walkways. 6m to swimming pools.
Surface drip and trickle irrigation	6m if area is up-gradient and 3m if area is down-gradient of swimming pools, property boundaries, driveways and buildings.
Subsurface irrigation	6m if area is up-gradient and 3m if area is down-gradient of swimming pools, property boundaries, driveways and buildings.
Absorption system	12m if area is up-gradient and 6m if area is down-gradient of property boundary. 6m if area is up-gradient and 3m if area is down-gradient of swimming pools, driveways and buildings.
All systems	500m to a drinking water bore managed by Central Tablelands Water.

F.1.8. Water Supply Controls

Water plays a key role for rural properties. It is required for many purposes, including irrigation fire fighting and for stock and domestic purposes. Securing a sustainable water supply can be a difficult task, particularly during pro-longed periods of dry weather. The following controls are designed to ensure that rural dwellings are provided with adequate facilities for the storage of rainwater for domestic and fire fighting purposes.

The following controls apply to rural dwellings:

- a. New rural dwellings that cannot be connected to a reticulated water supply should be supplied with a minimum 45,000 litre tank water storage, or an amount required in accordance with the BASIX Certificate submitted with the Development Application, whichever is the greater.
- b. In addition to control (a), a minimum 10,000 litre tanked water storage, or an amount required in accordance with the NSW Rural Fire Service document 'Planning for Bushfire Protection', whichever is the greater, should be dedicated for fire fighting purposes.
- c. The following provisions apply to all water storage supplies for fire fighting purposes:
 - i. Any on-site stored water supply should be easily identifiable from the street frontage with appropriate signage directing fire fighters towards the side of the asset where the supply is located.
 - ii. A suitable connection for fire fighting purposes should be made available. A 65mm Storz outlet with a gate or Ball valve is to be provided.
 - iii. Gate or Ball valve and pipes should be adequate for water flow and should be metal rather than plastic.
 - iv. Underground tanks should have an access hole of 200mm to allow tankers to refill direct from the tank. A hardened ground surface for truck access should be supplied within 4 metres of the access hole.
 - v. Above ground tanks should be manufactured of concrete or metal and raised tanks should have their stands protected.
 - vi. Plastic tanks are permitted, but only where appropriate protection measures for the tank are to be put in place.
 - vii. Tanks on the hazard side of a building should have all above ground water pipes external to the building made of metal including and up to any taps. Pumps should be shielded.
 - viii. Bores and creeks should not be used as a substitute for a dedicated static water supply.

Note: Where a water source contrary to the provisions above is proposed to be used, the application must be accompanied by a letter from the NSW Rural Fire Service that supports the alternative water source for fire fighting purposes.

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eco-tourist facilities

PART F.2

This Part provides the standards and controls for eco-tourist development where this is permissible within a land-use zone in the Cowra Local Government Area.

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F.2.1. Application of this part

Part F.2 of this Part applies to development for the purposes of eco-tourist facilities.

In accordance with Cowra Local Environmental Plan 2012, an Eco-tourist Facility means a building or place that:

- a. Provides temporary or short-term accommodation to visitors on a commercial basis, and
- b. Is located in or adjacent to an area with special ecological or cultural features, and
- c. Is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

Clause 5.13 of Cowra Local Environmental Plan 2012 contains controls relating to the granting of consent for eco-tourist facilities. The controls contained in this section supplement Clause 5.13.

F.2.2. Objectives

The objectives are to enable eco-tourist facilities that:

- a. Do not adversely impact on the agricultural productivity of land.
- b. Protect natural areas of high conservation value.
- c. Provide tourist facilities that enable people to experience natural areas.

F.2.3. Information Requirements

The following information is to be provided in support of Development Applications for Eco-Tourist Facilities:

- a. A Management Plan, to be approved by Council. See Section 2.4 for details on the requirements for the Management Plan.
- b. A statement demonstrating that the principles included in the definition of an ‘eco-tourist facility’ are met.
- c. An assessment of the conservation value of the land.
- d. Identification of the part of the land with high conservation value.
- e. Plans showing the siting of all facilities and buildings. The plans must include the following information:
 - i. Dimensions of proposed buildings.
 - ii. Building heights and building setbacks from natural areas and other buildings.
 - iii. Location of all natural areas and habitat areas to be restored.
 - iv. Landscaping details and existing trees (to be removed or retained).
 - v. Dimensions of all car parking spaces and driveway widths.
 - vi. Type and colour of building materials.
 - vii. Location of services and waste disposal facilities.
 - viii. Details of all access to and within the site.
- f. Information on the following to enable the consent authority to assess the proposed development under Clause 5.13 of Cowra Local Environmental Plan 2012:
 - i. The connection between the development and the ecological, environmental and cultural values.
 - ii. Details of the development and likely impact on the natural environment.
 - iii. How the development enhances the appreciation of the environmental and cultural values of the site or area.
 - iv. Measures to protect and or enhance natural resources and the natural environment.
 - v. Waste generation.
 - vi. Visual impact of the development.
 - vii. Infrastructure (service areas, utilities, roads, access etc).
 - viii. Impact on the agricultural productivity of adjoining land.
 - ix. Management Strategy for minimising any impact on the natural environment.

F.2.4. Management Plan Requirements

As part of the submission of a Development Application to Council for an eco-tourist facility, applicants will be required to submit a management plan that addresses the following matters:

- a. The Management Plan must identify land with significant ecological, environmental and cultural values that are the primary focus of the tourist activity, provide information on how the proposed development is going to use this land and if the areas are outside the site, subject of the proposed development, provide evidence of agreements / security that access to these natural areas is possible.
- b. The Management Plan must assess the potential impacts of the development on the ecological, environmental and cultural values of the site, including adjoining land and include measures to minimise these impacts.
- c. The Management Plan is to include detail that addresses the following matters:
 - i. Impacts on native flora, fauna, habitat areas and habitat corridors.
 - ii. Control of pest animals.
 - iii. Weed control and management.
 - iv. Management of riparian zones.
 - v. Water quality and stormwater management.
 - vi. Erosion and sediment control measures.
 - vii. Bushfire management, including a bushfire evacuation plan where necessary.
 - viii. Design of buildings and structures that are compatible with the natural environment, including limited visual intrusion.
 - ix. Design of buildings and structures that are energy efficient, water efficient and constructed of ecologically designd / renewable building materials.
 - x. An operational plan that demonstrates that the facility incorporates the most sustainable and integrated approach as possible to passive building design, energy efficiency, waste disposal, effluent disposal and stormwater management.
 - xi. Construction works and measures to minimise impacts.
 - xii. Land rehabilitation and maintenance.
 - xiii. Landscape design.
 - xiv. Preservation of cultural and historical sites.
 - xv. Infrastructure and waste disposal.
 - xvi. Access, pedestrian and vehicular movement.
 - xvii. Tourist facilities, activities and programs.
 - xviii. An environmental and cultural education program.
 - xix. A flood evacuation plan (where necessary).
 - xx. Visual impacts.

F.2.5. General Controls

The following general controls are to be taken into consideration by applicants proposing to construct an eco-tourist facility:

- a. The development should provide facilities that enables people to experience land with significant ecological, environmental and cultural values.
- b. The development should not adversely affect any natural areas with high conservation value.
- c. The development should not adversely impact on land with significant ecological, environmental or cultural values.
- d. The development should be located, constructed and managed so as to minimise the impact on the natural environment and areas with high conservation values.
- e. The development should restore areas of natural habitat on the land.
- f. The development should provide permanent accommodation only for people managing or operating the eco-tourist facility.
- g. The development should not adversely affect the agricultural productivity of the land or nearby land.
- h. The development should avoid visually prominent areas such as ridgelines, escarpments and watercourses.

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A appendix

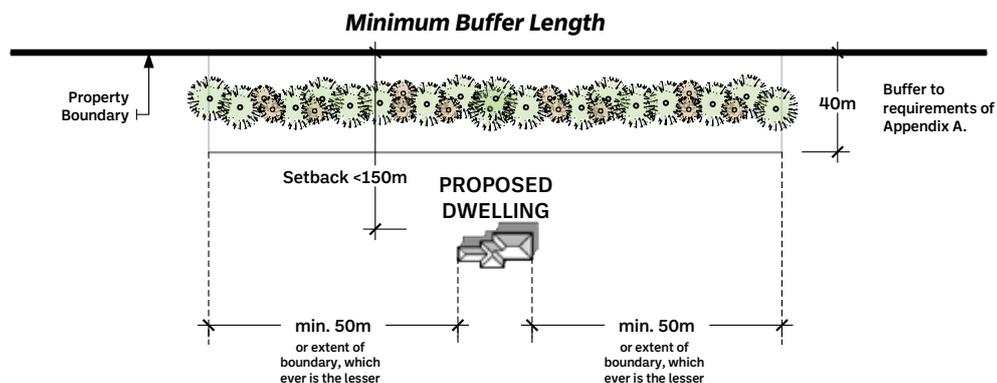
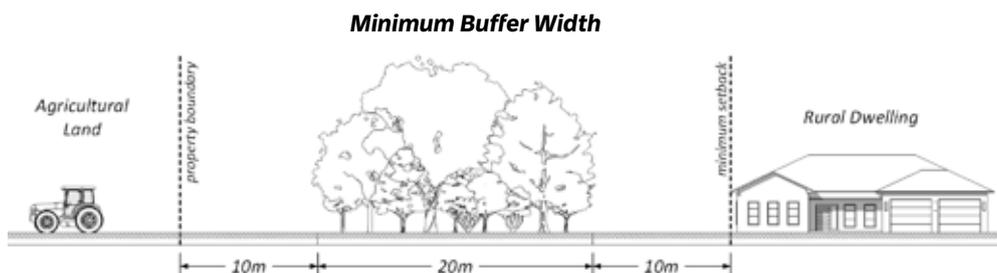
BUFFER REQUIREMENTS

Vegetated spray drift buffers should comply with the following controls:

- a. The buffer should be a minimum width of 20 metres planted with trees and at least 10 metres clear of vegetation either side of the vegetated areas to give a total buffer width of 40 metres.
- b. The buffer should contain random plantings of a variety of tree and shrub species of differing growth habits at spacings of 4 to 5 metres.
- c. The buffer should include species which have a long, thin and rough foliage which facilitates the more efficient capture of spray droplets (see accompanying suggested species list), and which are suitable for the area.
- d. The buffer should be a length that is at least 50m either side of the footprint of the proposed dwelling, or the length that is equal to the extent of the property boundary, whichever is the lesser.

The controls for vegetated spray drift buffers are illustrated conceptually in the diagram shown below.

Note - The requirements for vegetated spray drift buffers are based on the following publications - 'Primary Industries Standing Committee Spray Drift Management Principles, Strategies and Supporting Information PISC (SCARM) Report 82' – published by the CSIRO in 2002, and 'Planning Guidelines: Separating Agricultural and Residential Land Uses' – published by the Queensland Department of Natural Resources in 1997.



APPENDIX A - BUFFER REQUIREMENTS

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Common Name / Botanical Name	Height	Growth Rate	Soil
Broadleaved Hickory / <i>Acacia faciformis</i>	5-12m	Fast	Sandstone and rocky soils
Fern Leaf Wattle / <i>Acacia filicifolia</i>	6-10m	Fast	Grows best in clay loam, silt
Fringed Wattle / <i>Acacia fimbriata</i>	10-15m	Fast	Grows best in deep moist acid soil
Sydney Golden Wattle / <i>Acacia longifolia</i>	5-6m	Fast	Prefers moist, acid soils, although grows in other conditions
Blackwood / <i>melanoxydon</i>	10-20m	Fast	Grows best in deep moist acid soil
Parramatta Green Wattle / <i>Acacia parramattensis</i>	to 8m	Fast	Dy, shallow sandy or clay soils
Silver Stemmed Wattle / <i>Acacia parvipinnula</i>	to 10m	Fast	Sandy soils, especially along creek lines
Black Oak / <i>Allocasuarina littoralis</i>	8-10m	Moderate	Grows well on both poor and well drained acid soils
Forest Oak / <i>Allocasuarina torulosa</i>	15-20m	Moderate	Will grow in light soils but more suited to the better types
Honeysuckle / <i>Banksia integrifolia</i>	12-18m	Fast	Poor, low phosphorus soils (dont fertilise), well or poorly drained soil
White Bottlebrush / <i>Callistemon salignus</i>	5-7m	Fast	Light to heavy soil. Frost toleratet
White Cyprus / <i>Callitris columellaris</i>	15-20m	Moderate	Frost resistant, prefers sandy loamy soil
River Oak / <i>Casuarina cunninghamiana</i>	10-20m	Fast	Good, well drained loam, needs plenty of moisture, responds to irrigation
Swamp Oak / <i>Casuarina glauca</i>	10-12m	Fast	Moisty, will grow on marshy or saline soil or poorly drained pug.
Tuckeroo / <i>Cupaniopsis anarcardioides</i>	5-10m	Fast	Good to medium heavy clay and loamy soils
Hop Bush / <i>Dodonaea triquetra</i>	to 2m	Moderate	Grows best in heavy soil
Red Bloodwood / <i>Eucalyptus gummifera</i>	18-30m	Fast	Hardy, grown in a wide range of soils
Willow Leaf Hakea / <i>Hakea salicifolia</i>	5-7m	Fast	Grows well in acid soils with good drainage
Lemon Scented Tea Tree / <i>Leptospermum petersonii</i>	10-12m	Moderate	Grows well in moist soils
Broad Leaved Paperbark / <i>Melaleuca quinquenervia</i>	15-20m	Fast	Light to medium clay, low frost tolerant, can withstand flooding
Prickly Leaved Paperbark / <i>Melaleuca styphelioides</i>	5-8m	Moderate	Grows well in damp, brackish soils and heavy clays
Stick Daisy Bush / <i>Olearia eliptica</i>	to 1m	Moderate	Grows well in sandy / light loam soil

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B appendix

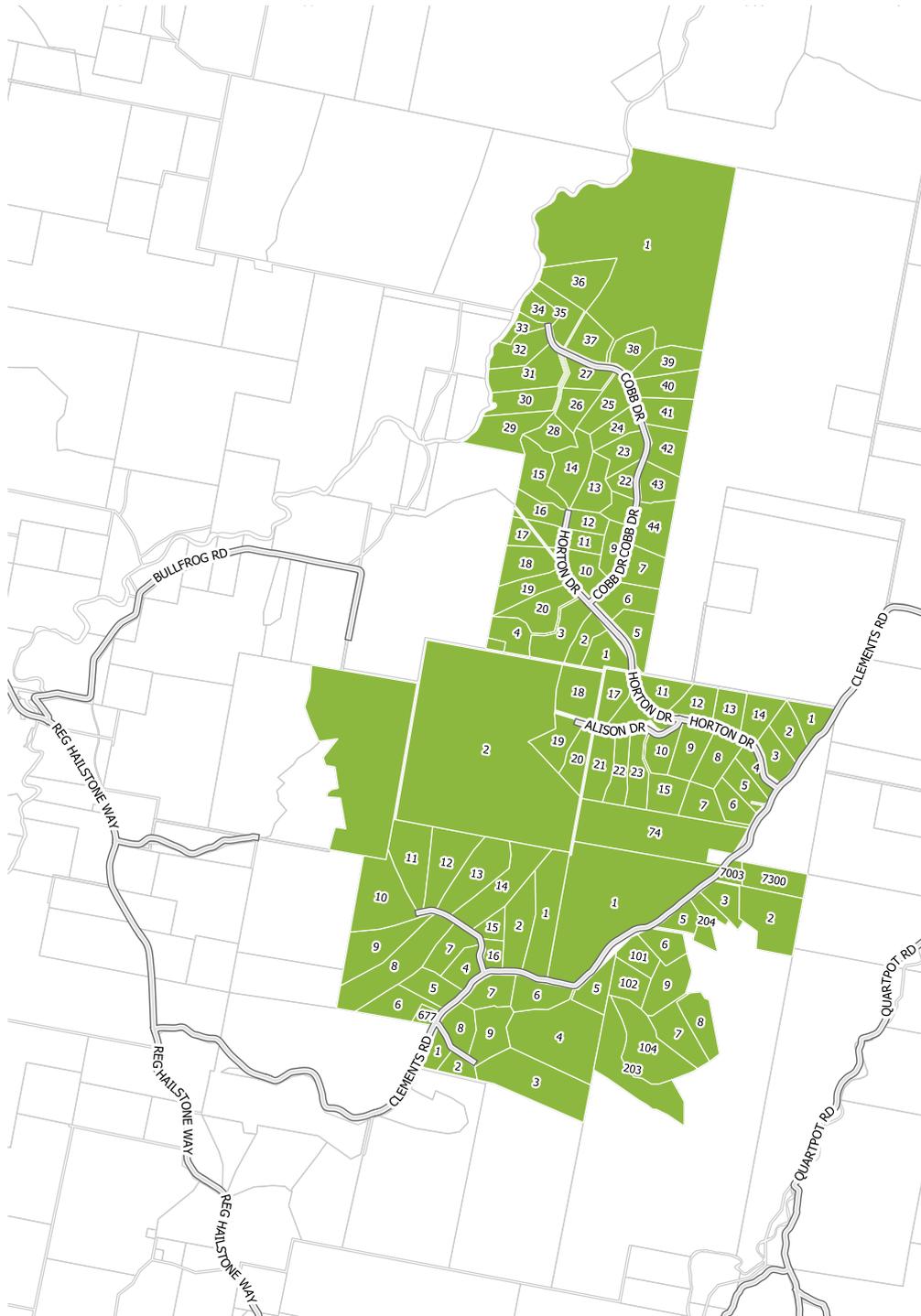
SUBDIVISION LOT MAPS



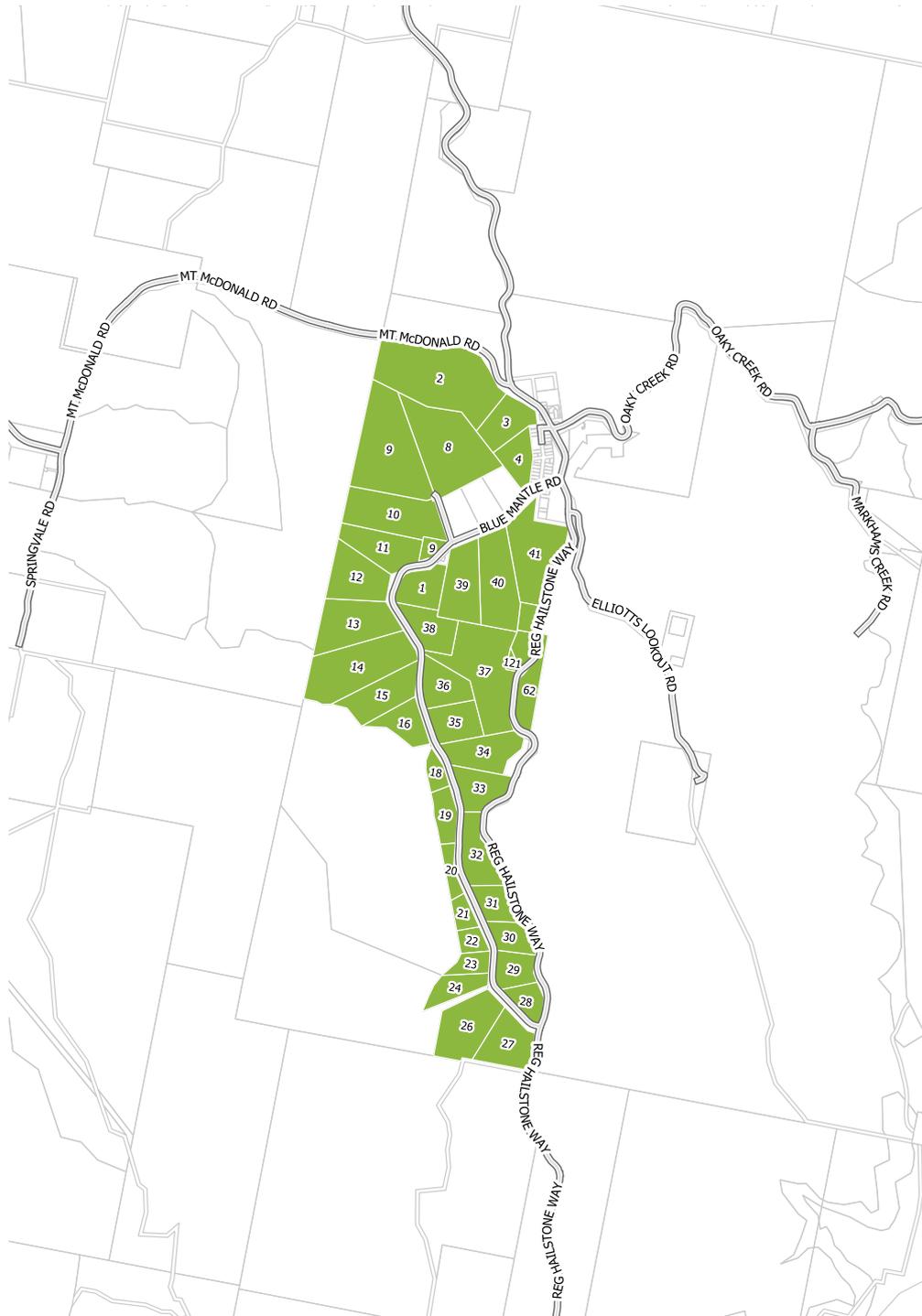
MAP NO. 1 - NALAH PARK PLACE / PINE MOUNT ROAD SUBDIVISION AREA

APPENDIX B - SUBDIVISION LOT MAPS

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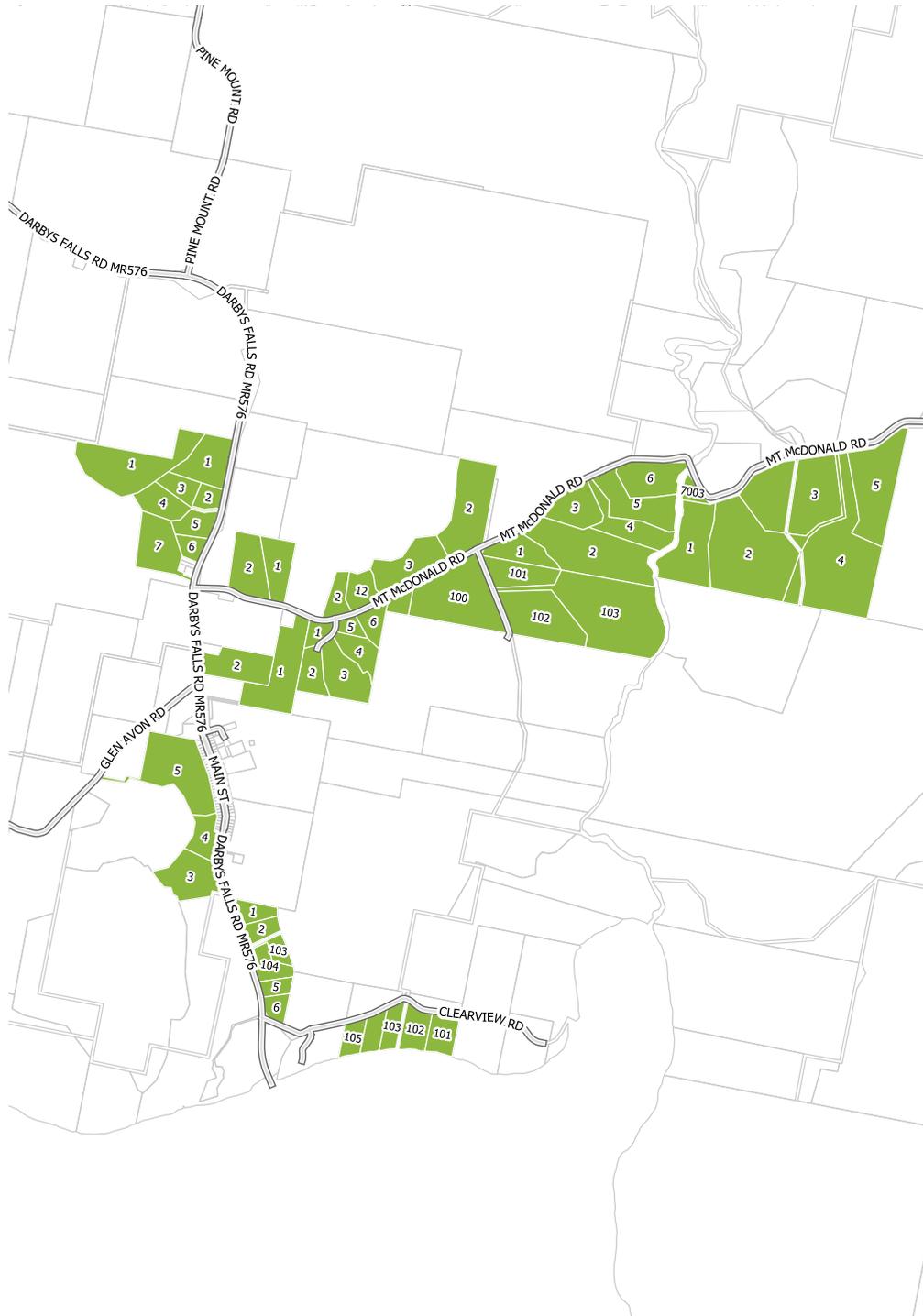
MAP NO. 2 - CLEMENTS ROAD SUBDIVISION AREA



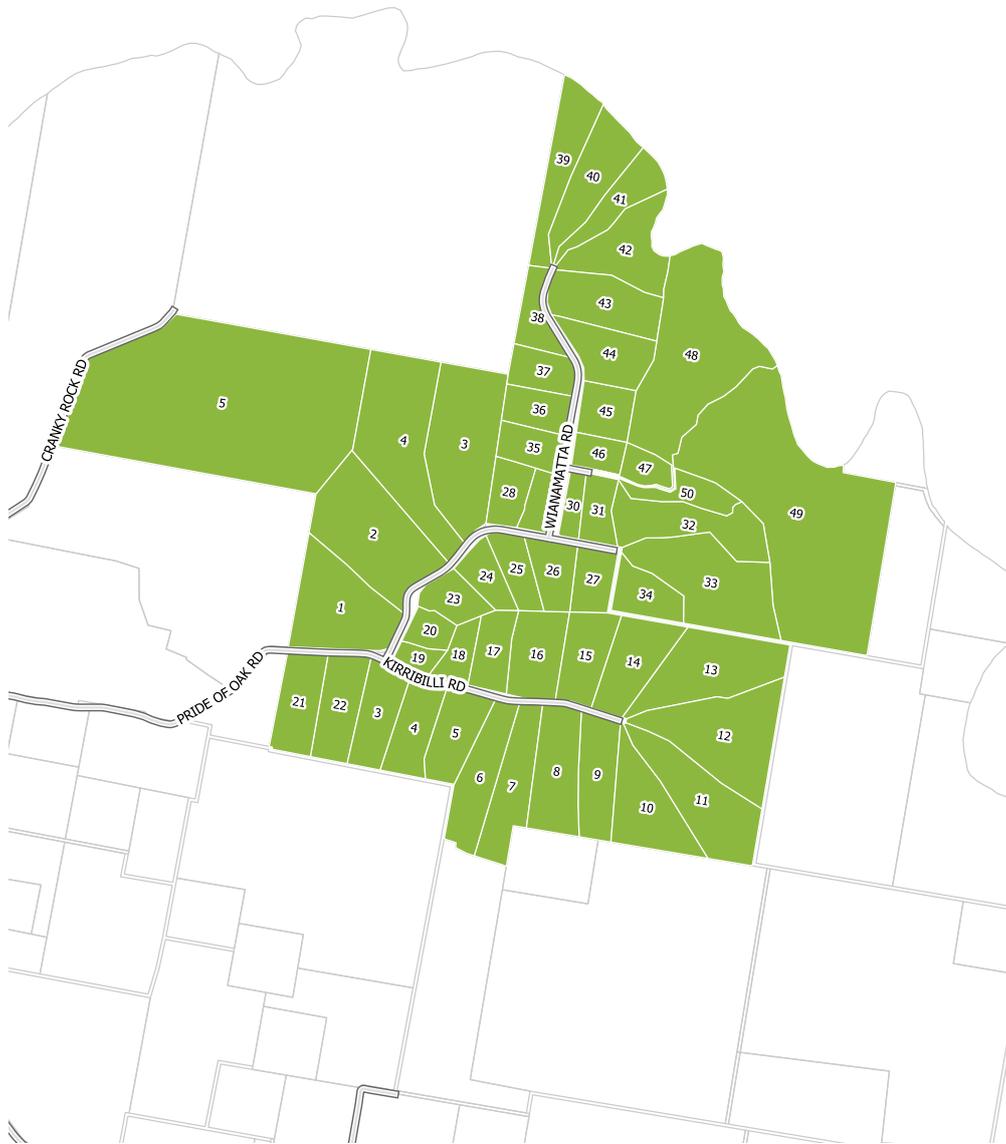
MAP NO. 3 - BLUE MANTLE ROAD SUBDIVISION AREA

APPENDIX B - SUBDIVISION LOT MAPS

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MAP NO. 4 - DARBYS FALLS ROAD SUBDIVISION AREA



MAP NO. 5 - PRIDE OF OAK ROAD SUBDIVISION AREA



MAP NO. 6 - CULTOWA ROAD SUBDIVISION AREA



MAP NO. 7 - KANGAROOBY ROAD SUBDIVISION AREA



MAP NO. 8 - STONEY HILL ROAD SUBDIVISION AREA

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PREPARED BY
COWRA SHIRE COUNCIL
116 KENDAL STREET
COWRA NSW 2794

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